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11 SKY ZONE FRANCHISE GROUP, LLC  
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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

SKY ZONE FRANCHISE GROUP, LLC.,  
a Missouri limited liability company,

Petitioner,

COLLEEN FITZGERALD, an individual;  
ALBANY FUN AND FITNESS, LLC, a  
limited liability company; TAYLOR FUN  
AND FITNESS, LLC, a limited liability  
company; FAMILY FUN AND FITNESS,  
LLC, a limited liability company;  
KALAMAZOO FUN AND FITNESS,  
LLC, a limited liability company;  
SAGINAW FUN AND FITNESS, LLC, a  
limited liability company, ROCHESTER  
FUN AND FITNESS, LLC, a limited  
liability company,

Respondents.

CASE NO. 2:23-cv-00101-JWH-JPR

**APPLICATION FOR DEFAULT  
JUDGMENT BY CLERK**

*[FILED CONCURRENTLY WITH  
DECLARATION OF MICHELLE  
CHUNG]*

1 TO THE CLERK OF THE COURT:

2 Pursuant to Federal Rules of Civil Procedure 55(b)(1) and Local Rule 58-5(b),  
3 Petitioner Sky Zone Franchise Group, LLC (“Sky Zone”) hereby requests the entry  
4 of default judgment against Respondents Colleen Fitzgerald, an individual; Albany  
5 Fun and Fitness, LLC, a limited liability company; Taylor Fun and Fitness, LLC, a  
6 limited liability company; Family Fun and Fitness, LLC, a limited liability company;  
7 Kalamazoo Fun and Fitness, LLC, a limited liability company; Saginaw Fun and  
8 Fitness, LLC, a limited liability company, Rochester Fun and Fitness, LLC, a limited  
9 liability company (collectively, “Respondents”).

10 A request for entry of Clerk’s default for failure to respond or appear as against  
11 Respondents was filed herein on February 14, 2023. Dkt. No. 17. Default was entered  
12 against Respondents on February 16, 2023. Dkt Nos. 19-21.

13 The declaration of Michelle Chung filed herewith establishes proof of a sum  
14 certain due and owing to Sky Zone by Respondents pursuant to a contract claim  
15 adjudicated in an arbitration proceeding. Declaration of Michelle Chung (“Chung  
16 Decl.”), ¶ 10. Respondents are not an infants, incompetent persons, or exempted  
17 under the Servicemembers Civil Relief Act, 1940. Chung Decl., ¶¶ 8-9.

18 The judgment to be entered by the Clerk of the Court is \$1,251,523.73. Chung  
19 Decl., ¶ 10, Ex. A.

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21 Dated: March 2, 2023

**BAKER & MCKENZIE LLP**

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23 By: /s/MICHELLE CHUNG  
24 NANCY NGUYEN SIMS  
MICHELLE CHUNG  
25 Attorneys for Petitioner  
SKY ZONE FRANCHISE GROUP, LLC